

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**United States of America,**

Plaintiff,

v.

**Albert Rossini,**

Defendant.

**No. 1:17-cr-522**

Judge John J. Tharp

**Motion to Continue Sentencing**

Defendant, Albert Rossini, by and through undersigned counsel, respectfully requests the court continue the sentencing hearing, which is currently scheduled for June 25, 2025, for at least 30 days.

Mr. Rossini was convicted on all counts in the above-captioned case after a jury trial in July 2023. Post-trial motions were denied in June 2024 [195]. As the Court is aware, Rossini has requested and been granted several previous continuances of the sentencing hearing due to concerns about ensuring continuity of medical care for his heart condition. As noted in previous motions, Rossini is classified as Care Level 3, which is for inmates who “are outpatients who have complex, and usually chronic, medical or mental health conditions and who require frequent clinical contacts to maintain control or stability of their condition, or to prevent hospitalization or complications.” Federal Bureau of Prisons Clinical Practice Guidance, at 3 (May 2019). Rossini’s heart is entirely dependent on a pacemaker implanted in his chest.

As the Court may recall, according to Rossini’s cardiologist at Northwestern Medicine, pacemaker batteries may fail at any time in the last 12 months of their

battery life. Once replacement surgery has been scheduled, Rossini will be placed on a medical hold at MCC to ensure continuity of his medical care.

After Rossini is placed on medical hold at MCC his concerns about being sent to a BOP facility will be allayed. A medical hold will ensure that he is not transferred from MCC to a BOP facility after sentencing in this case, unlike his codefendant in Case No. 1:15-cr-515, Babajan Khoshabe, who was being treated for stomach cancer when he was transferred to the BOP system in June 2022. Khoshabe was sent to FMC Butner but died not long after, in January 2023. *See* [919], *United States v. Rossini, et al.*, No. 1:15-cr-515 (N.D. Ill.) (Chang, J.) (“MINUTE entry before the Honorable Edmond E. Chang as to Babajan Khoshabe: With regard to Defendant Babajan Khoshabe, in light of the order and mandate of the Seventh Circuit, R. 916, 917, and given the death of this Defendant during the pendency of the direct appeal, the indictment as to this Defendant is dismissed.”).

Rossini’s medical care continues to be a concern. According to medical records just received by counsel,<sup>1</sup> Rossini was last seen at the Northwestern Medicine Cardiovascular Institute on June 11, 2025. A review of his pacemaker history found four cardiovascular events of atrial fibrillation, the most recent of which was on January 18, 2025, and lasted 1.5 hours. The clinician noted that the pacemaker is “nearing replacement time.... When battery estimate reaches 6 month[s], [patient] will need to be seen monthly.”

Following this appointment, Rossini was expected to have a 6-month follow-up appointment scheduled. Rossini informs counsel, however, that he received a phone call from his clinician last week stating that due to the cardiovascular events noted in the June 11 appointment, Rossini will need to be seen monthly to

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<sup>1</sup> Filed separately under seal.

determine when to schedule surgery to replace the pacemaker. Rossini expects this appointment to occur in early July.

Rossini recognizes that this case has been pending for an unusually long period of time. However, Rossini's request that the Court accommodate his continued medical treatment in Chicago is largely driven by the fear that he will suffer the same fate as Khoshabe if he is prematurely transferred to a BOP facility.

Further, Rossini is currently serving a 132-month sentence for his conviction in No. 1:15-cr-515 and is therefore not in danger of overserving any additional sentence in this case.

Consequently, Rossini requests that the Court continue the sentencing hearing in this case **by at least 30 days** to allow for continuity of Rossini's medical care and a follow-up report from his cardiologist.

Respectfully Submitted,

/s/ James G. Vanzant

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